

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION**

MVP GROUP INTERNATIONAL, LLC	)	
	)	Civil No. 2:09-CV-02636
Plaintiff,	)	
	)	
vs.	)	
	)	<b>ORDER</b>
SUPERVALU, INC. AND NEW	)	
ALBERTSON'S, INC.,	)	
	)	
Defendants.	)	
_____	)	

This matter is before the court on plaintiff's motion for summary judgment. Having thoroughly considered the parties' written submissions, the court holds that a genuine issue of material fact exists regarding whether the contract was constructively terminated. Therefore, the court **DENIES** plaintiff's motion for summary judgment and sets jury selection for this case on February 28, 2012.

**AND IT IS SO ORDERED.**



\_\_\_\_\_  
**DAVID C. NORTON**  
**UNITED STATES DISTRICT JUDGE**

**January 19, 2012**  
**Charleston, South Carolina**